



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**NOV 21 2014**

Frank Smith

Bluff City, KS 67018

RE: MUR 6693

Dear Mr. Smith:

On November 18, 2014, the Federal Election Commission reviewed the allegations in the complaint you filed on November 13, 2012, and found that on the basis of the information provided in the complaint, and information provided by the respondents, there is no reason to believe that Jackson for Virginia and Theodora J. Jackson in her official capacity as treasurer violated 52 U.S.C. § 30116(f) (formerly 2 U.S.C. § 441a(f)), and that Elizabeth C. Jenks, aka "Chardon Jenks," Elizabeth Harrigan, and Terrell Harrigan violated 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)) with respect to the allegations in this matter. Also on this date, the Commission decided to dismiss the allegations that Jackson for Virginia and Theodora J. Jackson in her official capacity as treasurer violated 52 U.S.C. § 30104(b)(3)(4) (formerly 2 U.S.C. § 434(b)(3)(4)). Accordingly, the Commission closed the file in this matter on November 18, 2014.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). The Factual and Legal Analyses, which more fully explain the Commission's findings, are enclosed.

**Sincerely,**

  
J. S. Jordan

**Enclosures**  
**Factual and Legal Analyses**

1 **FEDERAL ELECTION COMMISSION**

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3 **FACTUAL AND LEGAL ANALYSIS**

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5 RESPONDENTS: Jackson for Virginia  
6 and Theodora J. Jackson as treasurer

MUR 6693

7  
8 **I. INTRODUCTION**

9 This matter was generated by a Complaint asserting violations of the Federal Election  
10 Campaign Act of 1971, as amended (the "Act")<sup>1</sup> by Respondents Jackson for Virginia and  
11 Theodora J. Jackson in her official capacity as treasurer (collectively, the "Committee"),<sup>2</sup> in  
12 connection with allegedly excessive contributions. After reviewing the record, the  
13 Commission found no reason to believe that the Committee accepted excessive contributions,  
14 in violation of 52 U.S.C. § 30116(f) (formerly 2 U.S.C. § 441a(f)). The Commission also  
15 dismissed the allegation that the Committee violated 52 U.S.C. § 30104(b)(3)(A) (formerly  
16 2 U.S.C. § 434(b)(3)(A)) in connection with its reporting of the contributions at issue, and  
17 reminded the Committee to comply with the requirements of 52 U.S.C. § 30104(b)(3)(A)  
18 (formerly 2 U.S.C. § 434(b)(3)(A)).

19 **II. FACTUAL AND LEGAL ANALYSIS**

20 **A. Factual Background**

21  
22 Smith notes that the Committee disclosed the following contributions: \$1,000 from  
23 "Mrs. Elizabeth C. Jenks" on March 12, 2012;<sup>3</sup> \$1,000 from "Mrs. Chardon Jenks" on April

<sup>1</sup> On September 1, 2014, the Act was transferred from Title 2 of the United States Code to new Title 52 of the United States Code.

<sup>2</sup> Jackson for Virginia is the principal campaign committee of Earl W. Jackson, Sr., unsuccessful 2012 primary election candidate for U.S. Senate for Virginia. All of the contributions in this matter are attributed to the primary election.

<sup>3</sup> See Committee's 2012 April Quarterly Report, filed on April 14, 2012 ("Committee's April Quarterly Report") at 6.

1 18, 2012;<sup>4</sup> \$500 from “Mrs. Chardon Jenks” on April 24, 2012;<sup>5</sup> and \$2,500 from  
2 “Mrs. Elizabeth C. Jenks” on June 11, 2012.<sup>6</sup> Compl. at 1. The addresses for the  
3 contributions are nearly identical post office boxes in Keswick, Virginia. *Id.*<sup>7</sup> The Complaint  
4 alleges that “Elizabeth C. Jenks” and “Chardon Jenks” are in fact the same individual, and  
5 that she contributed \$5,000 to the Committee.<sup>8</sup> *Id.* Therefore, according to the Complaint,  
6 Elizabeth C. Jenks, aka “Chardon Jenks,” and the Committee violated the Act by making and  
7 accepting excessive contributions, respectively. *Id.*

8 The Complaint also alleges that “Elizabeth Harrigan,” whom the Complaint identifies  
9 as Jenks’s sister-in-law, contributed \$1,000 to the Committee on June 11, 2012, and that  
10 “Terrell Harrigan,”<sup>9</sup> identified as Jenks’s niece, contributed \$2,500 on June 11, 2012.<sup>10</sup>  
11 Compl. at 1. The Complaint claims that these contributions “may all be from one and the  
12 same person” or, alternatively, may have been “laundered through relatives.” *Id.* According  
13 to the Complaint, an obituary for Mrs. Jenks’s late husband, Dr. John S. Jenks, a copy of  
14 which is appended to the Complaint,<sup>11</sup> supports these assertions. *Id.*; *see also* Compl., Attach.

<sup>4</sup> See Committee’s 2012 12-Day Pre-Primary Report, filed on May 31, 2012 (“Committee’s Pre-Primary Report”) at 8.

<sup>5</sup> See Committee’s Pre-Primary Report at 8.

<sup>6</sup> See Committee’s 2012 July Quarterly Report, filed on July 14, 2012 (“Committee’s July Quarterly Report”) at 6.

<sup>7</sup> See Committee’s April Quarterly Report at 6; Committee’s Pre-Primary Report at 8; and Committee’s July Quarterly Report at 6.

<sup>8</sup> The contribution limit in 2011-2012 was \$2,500 per election to a candidate’s committee. See FEC Brochure for March 2011 at 6; available at <http://www.fec.gov/pdf/record/2011/march11.pdf#page=7>.

<sup>9</sup> The Complaint uses the surname “Hartigan,” instead of “Harrigan.”

<sup>10</sup> See Committee’s July Quarterly Report at 5-6.

<sup>11</sup> No source for the obituary is provided.

1 The Complaint surmises that the Committee may have been aware of “the attempt to conceal  
2 the apparently excessive contributions.” *Id.*<sup>12</sup>

3 In its Response, the Committee explains that “Mrs. Elizabeth Chardon H. Jenks” and  
4 “Elizabeth Jenks” are mother and daughter, respectively, and that their similar names may  
5 have created the appearance of an excessive contribution from one individual. Committee  
6 Resp. at 1-2. The Committee asserts that it did not accept excessive contributions from the  
7 donors listed in the Complaint, but acknowledges that it may have “aggregated some of the  
8 contributions incorrectly between” Mrs. Elizabeth Chardon H. Jenks and Elizabeth Jenks. *Id.*  
9 The Committee states that it will review its financial disclosure reports and amend them, if  
10 necessary. *Id.*<sup>13</sup>

11 Attached to the Committee’s Response is a sworn and notarized letter from Elizabeth  
12 Chardon H. Jenks (signed “Chardon Jenks”) stating she made a total of \$2,500 in  
13 contributions to the Jackson campaign in 2012 as follows: \$1,000 on May 10, 2012;<sup>14</sup> \$1,000  
14 on April 18, 2012; and \$500 on April 24, 2012. Jenks Resp. Mrs. Jenks further states that her  
15 daughter, Elizabeth Jenks, made an online contribution of \$2,500 to the Jackson campaign on  
16 May 27, 2012,<sup>15</sup> with her separate credit card, and that she and her daughter each pay their  
17 own credit card bills. *Id.*

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<sup>12</sup> The Complaint offers no credible support for these allegations. Therefore, the Commission did not address them further.

<sup>13</sup> It appears that the Committee may be referring to its July Quarterly Report, which discloses that “Mrs. Elizabeth C. Jenks” contributed \$3,500 during the election cycle, or \$1,000 above the contribution limit. To date, the Committee has not amended the Report.

<sup>14</sup> It appears that Mrs. Jenks may be referring to the contribution disclosed by the Committee as having been received on March 12, 2012.

<sup>15</sup> The Committee disclosed the receipt date of this contribution as “June 11, 2012.”

**B. Legal Analysis**

A “contribution” is defined as any “gift, subscription, loan . . . or anything of value made by any person for the purpose of influencing any election for Federal office.” 52 U.S.C. § 30101(8)(A)(i) (formerly 2 U.S.C. § 431(8)(A)(i)); *see also* 11 C.F.R. § 100.52(a). An individual is prohibited from making contributions to a candidate in excess of the limits at 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)), and candidate committees are prohibited from knowingly accepting excessive contributions. 52 U.S.C. § 30116(f) (formerly 2 U.S.C. § 441a(f)). The Act also requires candidate committees to identify individuals contributing over \$200 per election cycle, the amounts of their contributions and dates received, and the aggregate “election cycle to date” amount of their contributions to the committee. 52 U.S.C. § 30104(b)(3)(A) (formerly 2 U.S.C. § 434(b)(3)(A)); *see also* 11 C.F.R. § 104.3(a)(4).

It appears the Committee did not accept the excessive contributions alleged in the Complaint. According to the sworn and notarized letter from Chardon Jenks that was attached to the Committee’s response, Chardon Jenks and Elizabeth Jenks each made a total of \$2,500 in contributions to the Committee. Additionally, Elizabeth Harrigan and Terrell Harrigan each submitted sworn, notarized responses indicating in turn that Elizabeth Harrigan made only a \$1,000 contribution to the Committee and Terrell Harrigan made only a \$2,500 contribution to the Committee in the 2012 cycle. Therefore, the Commission found no reason to believe that Jackson for Virginia and Theodora J. Jackson in her official capacity as treasurer violated 52 U.S.C. § 30116(f) (formerly 2 U.S.C. § 441a(f)), with respect to the allegations in this matter.

1           Furthermore, while it appears that the Committee may have violated 52 U.S.C.  
2   § 30104(b)(3)(A) (formerly 2 U.S.C. § 434(b)(3)(A)) in connection with its reporting of the  
3   contributions at issue, the Commission exercised its prosecutorial discretion and dismissed the  
4   allegation given the amount at issue. *See Heckler v. Chaney*, 470 U.S. 821 (1985). In light of  
5   the fact that the Committee failed to amend its report to date, the Commission reminded the  
6   Committee to comply with the requirements of 52 U.S.C. § 30104(b)(3)(A) (formerly  
7   2 U.S.C. § 434(b)(3)(A)).

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Elizabeth Harrigan

MUR 6693

I. INTRODUCTION

This matter was generated by a Complaint asserting violations of the Federal Election Campaign Act of 1971, as amended (the "Act")<sup>1</sup> by Respondent Elizabeth Harrigan in connection with allegedly excessive contributions to Jackson for Virginia and Theodora J. Jackson in her official capacity as treasurer (collectively, the "Committee"),<sup>2</sup> in violation of 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)). After reviewing the record, the Commission found no reason to believe that Elizabeth Harrigan made excessive contributions, in violation of 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)).

II. FACTUAL AND LEGAL ANALYSIS

A. Factual Background

Smith notes that the Committee disclosed the following contributions: \$1,000 from "Mrs. Elizabeth C. Jenks" on March 12, 2012;<sup>3</sup> \$1,000 from "Mrs. Chardon Jenks" on April 18, 2012;<sup>4</sup> \$500 from "Mrs. Chardon Jenks" on April 24, 2012;<sup>5</sup> and \$2,500 from "Mrs. Elizabeth C.

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<sup>1</sup> On September 1, 2014, the Act was transferred from Title 2 of the United States Code to new Title 52 of the United States Code.

<sup>2</sup> Jackson for Virginia is the principal campaign committee of Earl W. Jackson, Sr., unsuccessful 2012 primary election candidate for U.S. Senate for Virginia. All of the contributions in this matter are attributed to the primary election.

<sup>3</sup> See Committee's 2012 April Quarterly Report, filed on April 14, 2012 ("Committee's April Quarterly Report") at 6.

<sup>4</sup> See Committee's 2012 12-Day Pre-Primary Report, filed on May 31, 2012 ("Committee's Pre-Primary Report") at 8.

<sup>5</sup> See Committee's Pre-Primary Report at 8.



1 Jenks” on June 11, 2012.<sup>6</sup> Compl. at 1. The addresses for the contributions are nearly identical  
2 post office boxes in Keswick, Virginia. *Id.*<sup>7</sup> The Complaint alleges that “Elizabeth C. Jenks”  
3 and “Chardon Jenks” are in fact the same individual, and that she contributed \$5,000 to the  
4 Committee.<sup>8</sup> *Id.* Therefore, according to the Complaint, Elizabeth C. Jenks, aka “Chardon  
5 Jenks,” and the Committee violated the Act by making and accepting excessive contributions,  
6 respectively. *Id.*

7 The Complaint also alleges that “Elizabeth Harrigan,” whom the Complaint identifies as  
8 Jenks’s sister-in-law, contributed \$1,000 to the Committee on June 11, 2012, and that “Terrell  
9 Harrigan,”<sup>9</sup> identified as Jenks’s niece, contributed \$2,500 on June 11, 2012.<sup>10</sup> Compl. at 1. The  
10 Complaint claims that these contributions “may all be from one and the same person” or,  
11 alternatively, may have been “laundered through relatives.” *Id.* According to the Complaint, an  
12 obituary for Mrs. Jenks’s late husband, Dr. John S. Jenks, a copy of which is appended to the  
13 Complaint,<sup>11</sup> supports these assertions. *Id.*; *see also* Compl., Attach. The Complaint surmises  
14 that the Committee may have been aware of “the attempt to conceal the apparently excessive  
15 contributions.” *Id.*<sup>12</sup>

<sup>6</sup> See Committee’s 2012 July Quarterly Report, filed on July 14, 2012 (“Committee’s July Quarterly Report”) at 6.

<sup>7</sup> See Committee’s April Quarterly Report at 6; Committee’s Pre-Primary Report at 8; and Committee’s July Quarterly Report at 6.

<sup>8</sup> The contribution limit in 2011-2012 was \$2,500 per election to a candidate’s committee. See FEC Brochure for March 2011 at 6; available at <http://www.fec.gov/pdf/record/2011/march11.pdf#page=7>.

<sup>9</sup> The Complaint uses the surname “Harrington,” instead of “Harrigan.”

<sup>10</sup> See Committee’s July Quarterly Report at 5-6.

<sup>11</sup> No source for the obituary is provided.

<sup>12</sup> The Complaint offers no credible support for these allegations. Therefore, the Commission did not address them further.

1 Elizabeth Harrigan submitted a sworn and notarized Response, in which she stated that in  
2 June 2012 she donated \$1,000 to the Committee for the 2012 primary. Elizabeth Harrigan Resp.  
3 at 1.

4 **B. Legal Analysis**

5 A "contribution" is defined as any "gift, subscription, loan . . . or anything of value made  
6 by any person for the purpose of influencing any election for Federal office." 52 U.S.C.  
7 § 30101(8)(A)(i) (formerly 2 U.S.C. § 431(8)(A)(i)); *see also* 11 C.F.R. § 100.52(a). An  
8 individual is prohibited from making contributions to a candidate in excess of the limits at  
9 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)).

10 It appears that Respondent Elizabeth Harrigan did not make an excessive contribution to  
11 the Committee. According to her sworn and notarized response, Elizabeth Harrigan contributed  
12 \$1,000 to the Committee in the 2012 cycle. Therefore, the Commission found no reason to  
13 believe that Elizabeth Harrigan violated 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C.  
14 § 441a(a)(1)(A)) with respect to the allegations in this matter.

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1 **FEDERAL ELECTION COMMISSION**

2 **FACTUAL AND LEGAL ANALYSIS**

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4  
5 RESPONDENT: Elizabeth C. Jenks, aka "Chardon Jenks"

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7 **I. INTRODUCTION**

8 This matter was generated by a Complaint asserting violations of the Federal Election  
9 Campaign Act of 1971, as amended (the "Act")<sup>1</sup> by Respondent Elizabeth C. Jenks, aka  
10 "Chardon Jenks," in connection with allegedly excessive contributions to Jackson for Virginia  
11 and Theodora J. Jackson in her official capacity as treasurer (collectively, the "Committee").<sup>2</sup>  
12 After reviewing the record, the Commission found no reason to believe that Elizabeth C. Jenks,  
13 aka "Chardon Jenks," made excessive contributions to the Committee, in violation of 52 U.S.C.  
14 § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)).

15 **II. FACTUAL AND LEGAL ANALYSIS**

16 **A. Factual Background**

17  
18 Smith notes that the Committee disclosed the following contributions: \$1,000 from  
19 "Mrs. Elizabeth C. Jenks" on March 12, 2012;<sup>3</sup> \$1,000 from "Mrs. Chardon Jenks" on April 18,  
20 2012;<sup>4</sup> \$500 from "Mrs. Chardon Jenks" on April 24, 2012;<sup>5</sup> and \$2,500 from "Mrs. Elizabeth

<sup>1</sup> On September 1, 2014, the Act was transferred from Title 2 of the United States Code to new Title 52 of the United States Code.

<sup>2</sup> Jackson for Virginia is the principal campaign committee of Earl W. Jackson, Sr., unsuccessful 2012 primary election candidate for U.S. Senate for Virginia. All of the contributions in this matter are attributed to the primary election.

<sup>3</sup> See Committee's 2012 April Quarterly Report, filed on April 14, 2012 ("Committee's April Quarterly Report") at 6.

<sup>4</sup> See Committee's 2012 12-Day Pre-Primary Report, filed on May 31, 2012 ("Committee's Pre-Primary Report") at 8.

<sup>5</sup> See Committee's Pre-Primary Report at 8.

1 C. Jenks" on June 11, 2012.<sup>6</sup> Compl. at 1. The addresses for the contributions are nearly  
2 identical post office boxes in Keswick, Virginia. *Id.*<sup>7</sup> The Complaint alleges that "Elizabeth C.  
3 Jenks" and "Chardon Jenks" are in fact the same individual, and that she contributed \$5,000 to  
4 the Committee.<sup>8</sup> *Id.* Therefore, according to the Complaint, Elizabeth C. Jenks, aka "Chardon  
5 Jenks," and the Committee violated the Act by making and accepting excessive contributions,  
6 respectively. *Id.*

7 The Complaint also alleges that "Elizabeth Harrigan," whom the Complaint identifies as  
8 Jenks's sister-in-law, contributed \$1,000 to the Committee on June 11, 2012, and that "Terrell  
9 Harrigan,"<sup>9</sup> identified as Jenks's niece, contributed \$2,500 on June 11, 2012.<sup>10</sup> Compl. at 1. The  
10 Complaint claims that these contributions "may all be from one and the same person" or,  
11 alternatively, may have been "laundered through relatives." *Id.* According to the Complaint, an  
12 obituary for Mrs. Jenks's late husband, Dr. John S. Jenks, a copy of which is appended to the  
13 Complaint,<sup>11</sup> supports these assertions. *Id.*; *see also* Compl, Attach. The Complaint surmises  
14 that the Committee may have been aware of "the attempt to conceal the apparently excessive  
15 contributions." *Id.*<sup>12</sup>

<sup>6</sup> See Committee's 2012 July Quarterly Report, filed on July 14, 2012 ("Committee's July Quarterly Report") at 6.

<sup>7</sup> See Committee's April Quarterly Report at 6; Committee's Pre-Primary Report at 8; and Committee's July Quarterly Report at 6.

<sup>8</sup> The contribution limit in 2011-2012 was \$2,500 per election to a candidate's committee. See FEC Brochure for March 2011 at 6; available at <http://www.fec.gov/pdf/record/2011/march11.pdf#page=7>.

<sup>9</sup> The Complaint uses the surname "Harrington," instead of "Harrigan."

<sup>10</sup> See Committee's July Quarterly Report at 5-6.

<sup>11</sup> No source for the obituary is provided.

<sup>12</sup> The Complaint offers no credible support for these allegations. Therefore, the Commission did not address them further.

1 In its Response, the Committee explains that "Mrs. Elizabeth Chardon H. Jenks" and  
2 "Elizabeth Jenks" are mother and daughter, respectively, and that their similar names may have  
3 created the appearance of an excessive contribution from one individual. Committee Resp. at 1-  
4 2. Attached to the Committee's Response is a sworn and notarized letter from Elizabeth  
5 Chardon H. Jenks (signed "Chardon Jenks") stating she made a total of \$2,500 in contributions  
6 to the Jackson campaign in 2012 as follows: \$1,000 on May 10, 2012;<sup>13</sup> \$1,000 on April 18,  
7 2012; and \$500 on April 24, 2012. Jenks Resp. Mrs. Jenks further states that her daughter,  
8 Elizabeth Jenks, made an online contribution of \$2,500 to the Jackson campaign on May 27,  
9 2012,<sup>14</sup> with her separate credit card, and that she and her daughter each pay their own credit  
10 card bills. *Id.*

11 **B. Legal Analysis**

12 A "contribution" is defined as any "gift, subscription, loan . . . or anything of value made  
13 by any person for the purpose of influencing any election for Federal office." 52 U.S.C.  
14 § 30101(8)(A)(i) (formerly 2 U.S.C. § 431(8)(A)(i)); *see also* 11 C.F.R. § 100.52(a). An  
15 individual is prohibited from making contributions to a candidate in excess of the limits at  
16 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)).

17 It appears the Respondent Elizabeth C. Jenks, aka "Chardon Jenks," did not make  
18 excessive contributions to the Committee. According to the sworn and notarized letter from  
19 Elizabeth Chardon H. Jenks (signed "Chardon Jenks") included with the Committee's response,  
20 Chardon Jenks contributed a total of \$2,500 to the Jackson Committee in the 2012 cycle.  
21 Therefore, the Commission found no reason to believe that Elizabeth C. Jenks, aka "Chardon

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<sup>13</sup> It appears that Mrs. Jenks may be referring to the contribution disclosed by the Committee as having been received on March 12, 2012.

<sup>14</sup> The Committee disclosed the receipt date of this contribution as "June 11, 2012."

- 2 the allegations in this matter.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Terrell Harrigan

MUR 6693

I. INTRODUCTION

This matter was generated by a Complaint asserting violations of the Federal Election Campaign Act of 1971, as amended (the "Act")<sup>1</sup> by Respondent Terrell Harrigan in connection with allegedly excessive contributions to Jackson for Virginia and Theodora J. Jackson in her official capacity as treasurer (collectively, the "Committee").<sup>2</sup> After reviewing the record, the Commission found no reason to believe that Terrell Harrigan made excessive contributions, in violation of 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)).

II. FACTUAL AND LEGAL ANALYSIS

A. Factual Background

Smith notes that the Committee disclosed the following contributions: \$1,000 from "Mrs. Elizabeth C. Jenks" on March 12, 2012;<sup>3</sup> \$1,000 from "Mrs. Chardon Jenks" on April 18, 2012;<sup>4</sup> \$500 from "Mrs. Chardon Jenks" on April 24, 2012;<sup>5</sup> and \$2,500 from "Mrs. Elizabeth C.

<sup>1</sup> On September 1, 2014, the Act was transferred from Title 2 of the United States Code to new Title 52 of the United States Code.

<sup>2</sup> Jackson for Virginia is the principal campaign committee of Earl W. Jackson, Sr., unsuccessful 2012 primary election candidate for U.S. Senate for Virginia. All of the contributions in this matter are attributed to the primary election.

<sup>3</sup> See Committee's 2012 April Quarterly Report, filed on April 14, 2012 ("Committee's April Quarterly Report") at 6.

<sup>4</sup> See Committee's 2012 12-Day Pre-Primary Report, filed on May 31, 2012 ("Committee's Pre-Primary Report") at 8.

<sup>5</sup> See Committee's Pre-Primary Report at 8.

1 Jenks" on June 11, 2012.<sup>6</sup> Compl. at 1. The addresses for the contributions are nearly identical  
2 post office boxes in Keswick, Virginia. *Id.*<sup>7</sup> The Complaint alleges that "Elizabeth C. Jenks"  
3 and "Chardon Jenks" are in fact the same individual, and that she contributed \$5,000 to the  
4 Committee.<sup>8</sup> *Id.* Therefore, according to the Complaint, Elizabeth C. Jenks, aka "Chardon  
5 Jenks," and the Committee violated the Act by making and accepting excessive contributions,  
6 respectively. *Id.*

7 The Complaint also alleges that "Elizabeth Harrigan," whom the Complaint identifies as  
8 Jenks's sister-in-law, contributed \$1,000 to the Committee on June 11, 2012, and that "Terrell  
9 Harrigan,"<sup>9</sup> identified as Jenks's niece, contributed \$2,500 on June 11, 2012.<sup>10</sup> Compl. at 1.  
10 The Complaint claims that these contributions "may all be from one and the same person" or,  
11 alternatively, may have been "laundered through relatives." *Id.* According to the Complaint, an  
12 obituary for Mrs. Jenks's late husband, Dr. John S. Jenks, a copy of which is appended to the  
13 Complaint,<sup>11</sup> supports these assertions. *Id.*; *see also* Compl., Attach. The Complaint surmises  
14 that the Committee may have been aware of "the attempt to conceal the apparently excessive  
15 contributions." *Id.*<sup>12</sup>

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<sup>6</sup> See Committee's 2012 July Quarterly Report, filed on July 14, 2012 ("Committee's July Quarterly Report") at 6.

<sup>7</sup> See Committee's April Quarterly Report at 6; Committee's Pre-Primary Report at 8; and Committee's July Quarterly Report at 6.

<sup>8</sup> The contribution limit in 2011-2012 was \$2,500 per election to a candidate's committee. See FEC Brochure for March 2011 at 6; available at <http://www.fec.gov/pdf/record/2011/march11.pdf#page=7>.

<sup>9</sup> The Complaint uses the surname "Harrington," instead of "Harrigan."

<sup>10</sup> See Committee's July Quarterly Report at 5-6.

<sup>11</sup> No source for the obituary is provided.

<sup>12</sup> The Complaint offers no credible support for these allegations. Therefore, the Commission did not address them further.



1 Terrell Harrigan submitted a sworn and notarized Response, in which she stated that in  
2 June 2012, she donated "the maximum limit" of \$2,500 to the Committee for the 2012 primary.

3 Terrell Harrigan Resp. at 1.

4 **B. Legal Analysis**

5 A "contribution" is defined as any "gift, subscription, loan . . . or anything of value made  
6 by any person for the purpose of influencing any election for Federal office." 52 U.S.C.  
7 § 30101(8)(A)(i) (formerly 2 U.S.C. § 431(8)(A)(i)); *see also* 11 C.F.R. § 100.52(a). An  
8 individual is prohibited from making contributions to a candidate in excess of the limits at  
9 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)).

10 It appears that Respondent Terrell Harrigan did not make an excessive contribution to the  
11 Committee. According to her sworn and notarized response, Terrell Harrigan contributed only  
12 \$2,500 to the Committee in the 2012 cycle. Therefore, the Commission found no reason to  
13 believe that Terrell Harrigan violated 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C.  
14 § 441a(a)(1)(A)) with respect to the allegations in this matter.